

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DOCTOR JOHN'S INC.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 18-cv-171-JPG-RJD
)	
VILLAGE OF CAHOKIA, ILLINOIS, et al.,)	
)	
Defendants.)	
)	

ORDER

DALY, Magistrate Judge:

This matter is before the Court on the discovery dispute conference held on January 28, 2019. Counsel for Defendants argued Plaintiff has repeatedly failed to sufficiently respond to discovery requests. On December 4, 2018, the Court held a status conference in the case and counsel for Defendants indicated that supplemental discovery responses were needed from Plaintiff. Counsel for Plaintiff agreed to provide the supplemental discovery by December 14, 2018 (Doc. 41). On December 19, 2018, Counsel for Defendants informed the Court that the supplemental discovery responses were not received. The Court set a discovery dispute conference for December 20, 2018 (Doc. 47). Counsel for Plaintiff called Counsel for Defendants on the morning of December 20, 2018 and informed him that he had mailed the supplemental discovery and that he would email a copy of the same by December 21, 2018 (Doc. 48). The Court cancelled the discovery dispute conference scheduled for December 20, 2018 and instructed Counsel for Defendants to file a motion to compel if he did not receive the supplemental discovery responses (Doc. 48). On December 27, 2018, Counsel for Defendants filed a Motion to Compel (Doc. 49) indicating he had still not received the supplemental discovery. On January 14, 2019,

the Court granted Defendants' motion and ordered Plaintiff to provide the supplemental discovery no later than January 18, 2019 (Doc. 51). The Court also instructed Counsel for Defendant to submit to the Court the expenses, including attorney's fees, incurred for preparation of the discovery dispute conferences and motion to compel. On January 24, 2019, Counsel for Defendants informed the Court that he had received supplemental discovery responses but there were still deficiencies. The court set the case for this discovery dispute conference on January 28, 2019.

The Court heard argument regarding the responses to a number of interrogatories and requests to produce. Plaintiff's counsel stated that the responses are correct and complete based on his conversations with John Coil. It is clear to the Court there exist a number of inconsistencies between the affidavits filed on behalf of Plaintiff in this case and the discovery responses provided by Plaintiff's counsel. Both cannot be correct.

Counsel for Defendants will provide a full copy of the ordinance in question by **February 1, 2019**. Counsel for Plaintiff will investigate sufficiently to answer the discovery on behalf of his client Doctor John's, Inc. and provide verified responses to the interrogatories and requests to produce. Additionally, Plaintiff will supplement the responses to Interrogatories numbers 4, 6, 16, and 23, and Requests to Produce numbers 5 and 6. Plaintiff will provide verification of the responses, as well as the supplements, by **February 8, 2019**.

As previously ordered at Doc. 51, Counsel for Defendants shall submit to the Court its costs for pursuing the Court's intervention in this matter.

IT IS SO ORDERED.

DATED: January 29, 2019

s/ Reona J. Daly
Hon. Reona J. Daly
United States Magistrate Judge